

**CITY COUNCIL MINUTES**  
**April 14, 2014**  
**REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 24, 2014 at 6:00 p.m. with Mayor Powers presiding and City Clerk Stephanie L. Snyder recording the minutes.

**CALL TO ORDER** at 5:15 p.m.

**ROLL CALL:**

**Council Members Present:** Kevin Hanley, J. M. "Mike" Holmes, William W. Kirby, Keith Nesbitt, Bridget Powers

**Council Members Absent:** None

**Staff Members Present:** Interim City Manager Rich Ramirez, City Attorney Michael Colantuono, Community Development Director Will Wong, Fire Chief Mark D'Ambrogi, Public Works Director Bernie Schroeder, Senior Planner Reg Murray, Transit Analyst Megan Siren, Police Chief John Ruffcorn and Police Lieutenant Victor Pecoraro.

**CLOSED SESSION**

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6:

**MOTION: Holmes/ Hanley/ Unanimously approved by voice**

1. Conference with Legal Counsel; Existing Litigation (Gov. Code § 54956.9(d)(1))

Name of Case: Roye v. County of Placer, City of Auburn, et al., Names of Parties or Claimants: John Roye (Deceased) by Narinder Roye (wife) Case No. or Claim No.: Workers Compensation Appeals Board No. ADJ7700741

2. Conference with Labor Negotiators:

(G.C. 54957.6)

Agency Designated Representatives: Rich Ramirez

Employee Group: All Bargaining Units

**REPORT OUT OF CLOSED SESSION**

The City Attorney said there was no reportable action.

**PLEDGE OF ALLEGIANCE**

## **MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

Mayor Powers presented the Mosquito and West Nile Virus Awareness Week Proclamation to Ada Barros with the Placer County Mosquito and Vector Control Agency.

Mayor Powers presented the BIG Day of Giving Proclamation. In attendance were Veronica Blake, Pam Constantino, Larry Welch, Tim Sands, and Eileen Speaker.

## **AGENDA APPROVAL**

The agenda was approved as presented by consensus of the Council.

## **CONSENT CALENDAR**

### **1. Appointment of Economic Development Commissioners**

By **RESOLUTION 14-22**, approve the recommended reappointments of Bud Richardson, Harvey Roper and Teri Wilson to the EDC.

### **2. Assignment/Assumption of Auburn Municipal Airport Ground Lease (Hangar 76)**

By **RESOLUTION 14-23**, authorize the City Manager or his designee to approve the assignment and assumption of the lease of certain premises commonly known as 'Hangar 76" which is a portion of APN 052-010-028, at the Auburn Municipal Airport, between the City of Auburn and William Kirby, Rosemary Kirby, Stewart P. Wells and Mary Ann Wells to Neil and Patricia Munro and further authorize the execution of all related documents.

### **3. Auburn Placer Performing Arts Center and the Operation and Expansion of the State Theater**

By **RESOLUTION 14-24**, support the Auburn Placer Performing Arts Center and the Operation and Expansion of the State Theater.

### **4. Letter of Opposition to Proposed Changes to the CalPERS Health Plan Regions**

By **MOTION**, approve the letter in opposition to the proposed changes to the CalPERS health plan regions.

### **5. Federal Transit Administration (FTA) 5311 Funding for Auburn Transit**

By **RESOLUTION 14-25**, authorize the Director of Public Works or his/her designee to:

- 1) Execute and file application for FTA assistance of behalf of the City of Auburn; and
- 2) Execute and file the required certifications, assurances and agreements on behalf of the City of Auburn.

6. **Donovan Parcel Map – LS 05-2**

By **RESOLUTION 14-26**, approve the Donovan Parcel Map for recording at the Placer County Recorder's Office.

7. **Auburn Airport Monument Sign**

By **MOTION**, direct staff to proceed with acquiring an easement from PG&E for placement of the Auburn Airport Monument Sign.

8. **Request for Proposals for Operations and Maintenance for the Wastewater Treatment Plant and Sewer Collection Systems**

By **MOTION**, authorize the Director of Public Works to submit the RFP and report back to the City Council after proposals are received and evaluated.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

By **MOTION**, approve the consent calendar, noting abstention by Council Member Kirby on item 2.

The motion was made by Council Member Holmes and seconded by Council Member Hanley, and approved by the following roll call vote:

Ayes: Hanley, Holmes, Kirby, Nesbitt, Powers

Noes:

Abstain:

Absent:

9. **Public Comment**

Richard Del Balso, resident of Auburn, said he would like e-cigarettes added to the city's non-smoking ordinance. He spoke of the negative effects of e-cigarettes. Council Member Kirby agreed that e-cigarettes need to be regulated.

Jerry Mifsud, resident of Auburn, spoke about speeding concerns on Mikkelsen Drive. He said he presented this problem at the Traffic Committee meeting in March.

## **COUNCIL BUSINESS**

### **10. Amgen Tour of California**

This report was presented by Police Chief John Ruffcorn (report in staff report).

Council Member Holmes spoke about the road work completed on High Street.

Council Member Hanley asked about rules and regulations in regards to promoting the Amgen race while in town.

Council Member Kirby complemented the Police Chief on his leadership with the Auburn Amgen Committee.

Council Member Nesbitt spoke about the great work by volunteers at this event.

### **11. Sewer Rate Study & Analysis Status Summary**

Director of Public Works Bernie Schroeder presented this item. She reviewed the schedule of the prop 218 hearing and said the detailed analysis is forthcoming.

Council Member questions followed regarding: (1) impact to restaurants owners, (2) factors in rate, (3) rating period, (4) implications to residents, (5) regional sewer project impact (6) suspended fee increase in the past, and (7) fixed income residents.

Council Member Kirby spoke about a recycled water article in the Sacramento Bee today.

Public Comment:

Bob Snyder, resident of Auburn, asked about the level of detail in the rate structure and how the equivalents are determined for different uses. He spoke of "gross inequities" in the rate structure. He suggested a rate structure that is tied to how much water is actually used by the home/ or business.

Randi Swisley, on behalf of League of Women Voters of Placer County, requested that the information provided by Ms. Schroeder be posted on the city's website.

Council Member Holmes addressed Mr. Snyder's public comment regarding determining sewer rates based on water usage.

Council Member Hanley asked about the analysis that will be included in the rate study.

Bernie Schroeder explained past practice in regards to how the sewer rate was determined. She explained how the EDC is determined for a house vs. a restaurant.

12. **Lease for a Portion of Old City Hall (1103 High Street) to the Auburn Chamber of Commerce**

Council Member Hanley abstained from this item and left the Council Chambers.

Public Works Director Bernie Schroeder presented this item. She reviewed the terms, tenant improvements, utilities, ADA improvements, and bathrooms addressed in the agreement.

Council Member questions followed regarding (1) tenant improvement cost, (2) asbestos and lead removal, (3) Chamber Volunteer work, (4) leaking roof, (5) 7 year lease term, (6) move-in date, and (7) lease with Union Pacific on former location.

Public Comment:

Carolyn Metzker, President of the Auburn Chamber of Commerce, addressed the planned move-in date, plans for tenant improvements, lease term, and fair market value rent after the 7 year term.

Harvey Roper, President-Elect of the Auburn Chamber of Commerce stressed that the Chamber will meet its goal of occupying the City's building by June 2014.

Council Member comments followed regarding the benefits to both parties with this agreement with the Chamber of Commerce.

By **RESOLUTION 14-27**, approve the lease agreement with the Auburn Area Chamber of Commerce.

The motion was made by Council Member Kirby and seconded by Council Member Holmes and approved by the following roll call vote:

Ayes: Holmes, Kirby, Nesbitt, Powers

Noes:

Abstain:

Absent: Hanley

Council Member Hanley returned to the dais.

13. **Proposal to Amend the Fee Schedule for Planning Applications**

Senior Planner Reg Murray presented this item. He said the last time the planning fees were updated was 1992. He spoke about factors that affect city-incurred costs during review and processing of entitlements and applications. He spoke about the difference between flat-rate fees and at-cost fees. He reviewed new proposed fees and proposed changes to existing fees.

Council Member questions followed regarding (1) appeals at-cost, (2) impact of increased fees, (3) staffing cost in fees, (4) fee revenue trend, (5) different types of applications/ reviews, (6) pre-development process, and (7) at-cost evaluation.

Robert Snyder, resident of Auburn, spoke in favor of keeping the appeals fee at \$100 so that people feel they have the opportunity to appeal decisions.

Council Member comments followed regarding proposed fees, excluding some or all staff costs and public input.

Interim City Manager Richard Ramirez suggested the option of bringing this issue back at a future meeting to define the policy/ intent of the Council.

By **MOTION**, continue this item to the first City Council meeting in June. The motion was made by Council Member Nesbitt and seconded by Council Member Kirby and approved by the following roll call vote:

Ayes: Hanley, Holmes, Kirby, Nesbitt, Powers

Noes:

Abstain:

Absent:

**REPORTS**

14. **City Council Committee Reports**

Council Member Nesbitt reported on the Placer County Transportation Agency meeting where Caltrans did a presentation on the raising of several overpasses on I-80.


Council Member Holmes reported on his trip to Ontario to the CA League of Cities policy committee meeting regarding SB983. He reported on the Placer County Air Pollution Control District approving a grant for \$10,000 to install electric vehicle charging stations in Auburn. He said he is traveling to Washington D. C. in early May.

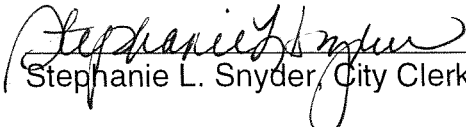
Mayor Powers reported on upcoming meetings of the Placer County Economic Development Board and the Auburn Airport Business Park Association.

Council Member Kirby reported on the Bud Anderson fundraising event on April 27<sup>th</sup>.

**ADJOURNMENT.**

Mayor Powers adjourned the meeting, in honor of Kelly Kreeger's retirement from Placer County, at 8:28 p.m.

  
Bridget Powers, Mayor

  
Stephanie L. Snyder, City Clerk